



# lucido&associates

August 15, 2019

HAND DELIVERY

Nicki van Vonno, Director  
Martin County Growth Management Department  
2401 SE Monterey Road  
Stuart, FL 34996

**Re: Four Fish Marina – Mandatory Rezoning Application with Certificate of Public Facilities Exemption (Our ref. #18-1100)**

Dear Nicki:

On behalf of the property owner, AA Marina, LLLP, we are pleased to submit this application for a mandatory rezoning from B-2 and R-3A to WGC as discussed at the pre-application workshop on February 28, 2019.

With this understanding, please find enclosed the sufficiency review fee check in the amount of \$290.00, the CD with PDF copies of the application materials, and the original application package containing the following materials:

1. Application form;
2. Digital submittal affidavit;
3. Project narrative;
4. The owner's notarized power of attorney for representation by Lucido & Associates;
5. The Disclosure of Interest Affidavit;
6. The recorded deeds documenting ownership by AA Marina, LLLP;
7. The no transfer statement;
8. The legal description;
9. Aerial map;
10. Parcel assessment map;
11. Future land use map; and
12. Zoning map.

The following standard application materials are not provided for the reasons indicated:

- **School Impact Worksheet** - Not applicable to commercial projects.
- **Surrounding property owners list** – To be provided prior to the public hearing.

Upon a determination of completeness, we will submit the mandatory application fee in the amount of \$1,100.00.

Please feel free to contact me or my assistant, Shirley Lyders, if you have any questions or comments.

Sincerely,

Morris A. Crady, AICP  
Senior Vice President



Martin County, Florida  
 Growth Management Department  
 DEVELOPMENT REVIEW DIVISION  
 2401 SE Monterey Road, Stuart, FL 34996 772-288-5495 [www.martin.fl.us](http://www.martin.fl.us)

**DEVELOPMENT REVIEW APPLICATION**

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**A. GENERAL INFORMATION**

Type of Application: Zoning Change

Name or Title of Proposed Project: Four Fish Marina

**Brief Project Description:**

See project narrative

Was a Pre-Application Held?  YES/NO  Pre-Application Meeting Date: 2-28-19

Is there Previous Project Information?  YES/NO

Previous Project Number if applicable: Not known

Previous Project Name if applicable: \_\_\_\_\_

**Parcel Control Number(s)**

<u>26-37-41-000-000-00040-3</u>	_____
<u>26-37-41-000-000-00050-0</u>	_____
<u>26-37-41-000-000-00060-8</u>	_____
_____	_____
_____	_____

**B. PROPERTY OWNER INFORMATION**

Owner (Name or Company): AAA Marina, LLLP

Company Representative: Alex Muxo

Address: 7900 Glades Road, Suite 402

City: Boca Raton, State: FL Zip: 33434

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**C. PROJECT PROFESSIONALS**

**Applicant (Name or Company):** Same as property owner

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Agent (Name or Company):** Lucido & Associates

Company Representative: Morris A. Crady

Address: 701 SE Ocean Boulevard

City: Stuart, State: FL Zip: 34994

Phone: 772-220-2100 Email: mcrady@lucidodesign.com

**Contract Purchaser (Name or Company):** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Land Planner (Name or Company):** Same as agent

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Landscape Architect (Name or Company):** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Surveyor (Name or Company):** GCY, Inc.

Company Representative: Peter Andersen

Address: P.O. Box 1469

City: Palm City, State: FL Zip: 34991

Phone: 772-286-8083 Email: PeteA@gcyinc.com

**Civil Engineer (Name or Company):** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**PROJECT PROFESSIONALS CONTINUED**

**Traffic Engineer (Name or Company):** \_\_\_\_\_  
Company Representative: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Architect (Name or Company):** \_\_\_\_\_  
Company Representative: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Attorney (Name or Company):** \_\_\_\_\_  
Company Representative: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Environmental Planner (Name or Company):** \_\_\_\_\_  
Company Representative: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Other Professional (Name or Company):** \_\_\_\_\_  
Company Representative: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**D. Certification by Professionals**

Section 10.2.D.7., Article 10, Development Review Procedures, Land Development Regulations (LDR), Martin County Code (MCC) provides the following:

When reviewing an application for a development permit that is certified by a professional listed in s. 403.0877, F.S., the County shall not request additional information from the application more than three times, unless the applicant waives the limitation in writing. If the applicant believes the request for additional information is not authorized by ordinance, rules, statute, or other legal authority, the County, at the applicant's request, shall proceed to process the application for approval or denial. **(125.022(1), Fla. Stat.)**

This box must be checked if the applicant waives the limitations.

**E. APPLICANT or AGENT CERTIFICATION**

I have read this application, and to the extent that I participated in the application, I have answered each item fully and accurately.

*Morris A. Crady*  
Applicant Signature

8-14-19  
Date

Morris A. Crady  
Printed Name

**NOTARY ACKNOWLEDGMENT**

STATE OF: FLORIDA COUNTY OF: MARTIN

I hereby certify that the foregoing instrument was acknowledged before me this 14<sup>th</sup> day of August, 20 19, by Morris A. Crady.

He X is personally known to me or     has produced     as identification.

*Shirley Lyders*  
Notary Public Signature



Shirley Lyders  
Printed name

STATE OF: FLORIDA at-large



Martin County Florida Growth Management Department  
 DEVELOPMENT REVIEW DIVISION  
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### Digital Submittal Affidavit

I, Morris A. Crady, attest that the electronic version included for the project Four Fish Marina Mandatory Rezoning application is an exact copy of the documents that were submitted for sufficiency, excluding any requested modifications made by the sufficiency review team. All requested modifications, if any, have been completed and are included with the packet.

  
 Applicant Signature

8-14-19  
 Date

### NOTARY ACKNOWLEDGMENT

STATE OF: FLORIDA COUNTY OF: MARTIN

I hereby certify that the foregoing instrument was acknowledged before me this 14th day of August, 2019, by MORRIS A. CRADY.

He X is personally known to me or \_\_\_ has produced \_\_\_ as identification.

  
 Notary Public Signature



Printed name

STATE OF: FLORIDA at-large



## **PROJECT NARRATIVE**

### **Four Fish Marina Rezoning from B-2 and R-3A to WGC August 13, 2019**

#### ***Existing Property Characteristics***

The subject property is approximately 4 acres (not including submerged lands) and consists of an existing, fully developed commercial marina located on NE Indian River Drive, immediately adjacent to, and north of the county's public boat ramp park. The Four Fish Marina, which was known for decades as Bailey's Boatyard, was originally developed in the early 1960s and consists of a marina basin, boat service and repair yard, fueling stations, utility/repair buildings, boat lift, stabilized access and parking, and paved parking along Indian River Drive. All of the shoreline has been stabilized with vertical sea walls or rip rap. Except for mangroves along the shoreline that have been protected, no native wetland or upland habitat exists on the subject property.

The property has a Commercial Waterfront future land use and is zoned R-3A and B-2, which are category "C" zoning districts.

The owner's intent is to redevelop and improve the marina by adding additional boat slips, constructing a boat storage building and by improving parking, access, pedestrian circulation and marina services.

#### ***Proposed Rezoning***

As per a pre-application workshop conducted on February 28, 2019, before the property can be redeveloped, a mandatory zoning district change to WGC is required for that portion of the property zoned B-2. To consolidate the zoning on the entire property and redevelop in accordance with the Category "A" WGC zoning district, the mandatory zoning change to WGC has been expanded to include the portion of the site currently zoned R-3A.

**AA Marina, LLLP**  
**4200 N. Flagler Drive**  
**West Palm Beach, Florida 33407**

August 6, 2019

Nicki van Vonno, Director  
Martin County Growth Management Department  
2401 SE Monterey Road  
Stuart, FL 34996

Re: Four Fish Marina  
26-37-41-000-000-00040-3  
26-37-41-000-000-00050-0  
26-37-41-000-000-00060-8

Dear Ms. van Vonno:

As owner of the property referenced above, please consider this correspondence formal authorization for Lucido & Associates to represent **AA Marina, LLLP** during the governmental review process of the applications.

Sincerely,

AA MARINA, LLP, a Florida limited liability partnership

By: H MARINA PROPERTIES, LLC  
a Florida limited liability company  
Its General Partner

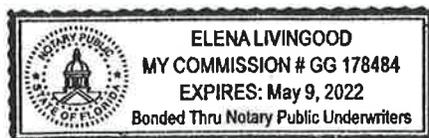
By:   
Alex Muxo, Vice President

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing was acknowledged before me this 8<sup>th</sup> day of AUGUST, 2019, by Alex Muxo, Vice President of H MARINA PROPERTIES, LLC, a Florida limited liability company, General Partner of AA MARINA, LLLP, a Florida limited liability partnership. He [] is personally known to me or [ ] has produced \_\_\_\_\_ as identification.

  
NOTARY PUBLIC  
My Commission Expires: May 9, 2022

(Notarial Seal)





IN WITNESS WHEREOF, Grantor has caused these presents to be executed by its duly authorized officer the day and year first above written.

Signed, sealed and delivered in the presence of:

MARCUS'S FIELDBROOK, INC., an Ohio corporation

By: *Charles Shoup* Pres  
CHARLES SHOUP, President

*[Signature]*  
[Printed Witness Name] *pic/bm*

*[Signature]*  
[Printed Witness Name] *Robert S. Reynolds Jr.*

[Corporate Seal]

STATE OF FLORIDA )  
COUNTY OF MARTIN )

The foregoing Special Warranty Deed was acknowledged before me this \_\_\_ day of July 2003, by CHARLES SHOUP, President of MARCUS'S FIELDBROOK, INC., an Ohio corporation, on behalf of said corporation, who [ ] is personally known to me or [ ] has produced a Florida's Driver's License as identification.

*[Signature]*  
Notary Public - State of Florida

(Notary Seal)

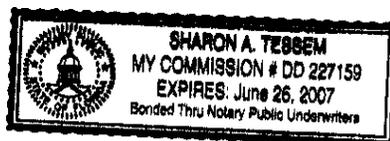


EXHIBIT APARCEL 1

Start at the S.W. corner of Government Lot 1, Section 26, Township 37 South, Range 41 East, thence run S 89°34' E to the Easterly R/W of State Road 707, a distance of 454.30 feet; Thence run N 00°18' E along said Easterly R/W of State Road 707, a distance of 200 feet for a point of beginning; Thence continue to run N 00°18' E along said Easterly R/W of State Road 707 a distance of 121.83 feet; Thence run N 88°51' E a distance of 135.37 feet; Thence run S 12°32' E a distance of 71.54 feet; Thence run S 67°21' W a distance of 10 feet; Thence run S 22°39' E a distance of 30 feet; Thence run S 67°21' W a distance of 85.46 feet; Thence run N 00°18' E a distance of 9.35 feet; Thence run N 89°42' W to the aforesaid Easterly R/W of State Road 707 a distance of 75 feet to the Point of Beginning.

Tax I.D. No. 26-37-41-009-000-00130

Parcel 2

Start at the S.W. corner of Government Lot 1, Section 26, Township 37 South, Range 41 East; thence run S 89° 34' E to the Easterly R/W of State Road 707, a distance of 454.30 feet; Thence run N 00°18' E along said Easterly R/W of State Road 707, a distance of 321.83 feet; Thence run N 88°51' E a distance of 100 feet for a point of beginning; Thence continue to run N 88° 51' E to the Westerly right-of-way of Sewalls Point Rd., a distance of 119.34 feet; Thence run N 21°55' 05" W along the Westerly R/W of Sewalls Point Road, a distance of 51 feet; Thence run S 89°30' 26" W a distance of 100 feet; Thence run S 00°19' W for a distance of 48.84 feet to the Point of Beginning.

Tax I.D. No. 26-37-41-009-000-00120

Parcel 3

Start at the Southwest corner of Government Lot 1, Section 26, Township 37 South, Range 41 East, thence run South 89° 34' East to the Easterly right-of-way of State Road No. 707, a distance of 454.30 feet; thence run North 00° 18' East along the easterly right-of-way of State Road No. 707 a distance of 321.83 feet; thence run North 88° 51' East a distance of 135.37 feet for a point of beginning; thence continue to run North 88° 51' East to the Westerly right-of-way of Sewall's Point Road a distance of 83.97 feet; thence run South 21° 39' East along said Westerly right-of-way of Sewall's Point Road a distance of 39.65 feet; thence run South 67° 21' West a distance of 90.00 feet; thence run North 12° 32' West a distance of 71.54 feet to the point of beginning.

Tax I.D. No. 26-37-41-009-000-00210

Parcel 4

The Northerly 93.27 feet of the South 415 feet of Government Lot 1, Section 26, Township 37 South, Range 41 East, lying between State Road 707 and Sewalls Point Road, less and excepting the following described parcel:

Start at the S.W. corner of Government Lot 1, Section 26, Township 37 South, Range 41 East; thence run S 89° 34' E to the Easterly R/W of State Road 707, a distance of 454.30 feet; Thence run N 00° 18' E along said Easterly R/W of State Road 707, a distance of 321.83 feet; Thence run N 88° 51' E a distance of 100 feet for a point of beginning; Thence continue to run N 88° 51' E to the Westerly right-of-way of Sewalls Point Rd., a distance of 119.34 feet; Thence run N 21° 55' 05" W along the Westerly R/W of Sewalls Point Road, a distance of 51 feet; Thence run S 89° 30' 26" W a distance of 100 feet; Thence run S 00° 19' W for a distance of 48.84 feet to the Point of Beginning.

Tax I.D. No. 26-37-41-009-000-00110

Parcels 5 and 6

All that property in Government Lot 1, Section 26, Township 37 South, Range 41 East, Martin County, Florida, lying South of the North line of Lot 3 of Racey's Subdivision of Government Lot 1, Section 26, Township 37 South, Range 41 East, as set out in Plat Book V, page 700, of the Public Records of Brevard County, Florida, and lying East of Sewalls Point Road and North of the North line of the A.J. Milazzo tract, said North line being established by a boundary line agreement recorded in Official Record Book 97, page 115, of the Public Records of Martin County, Florida and West of the channel of the intracoastal waterway of the Indian River; excepting the tract set out in Deed Book 64, page 206, of the Public Records of Martin County, Florida, deeded by W.L. Bailey, joined by his wife Marion Bailey to C.R. Konst and Velma N. Konst, his wife.

TOGETHER WITH riparian rights and submerged land rights thereunto appertaining, which submerged lands were deeded to Walter L. Bailey and wife by deed recorded in Official Record Book 49, page 226, of the Public Records of Martin County, Florida.

Tax I.D. No. 26-37-41-000-000-00050 and  
Tax I.D. No. 26-37-41-000-000-00060



Signed in the presence of these witnesses:

Witness: [Signature]  
Print Name: Jean Gilroy - Field

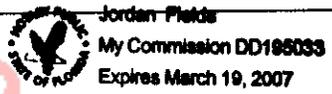
Witness: [Signature]  
Print Name: TENA PENSENTI

By: [Signature]  
JOHN R. SCOTT, s Successor Trustee of  
The Velma Konst Revocable Trust dated  
the 5<sup>th</sup> day of October 2000

STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of September, 2004, by JOHN R. SCOTT, as Successor Trustee of The Velma Konst Revocable Trust dated the 5th day of October 2000. He is personally known to me or has produced FL. DR. LIC. as identification.

[Signature]  
NOTARY PUBLIC - State of Florida  
Name: Jordan Fields  
Commission No: \_\_\_\_\_  
Expiration: \_\_\_\_\_



[NOTARY SEAL]

{M2076018;1}

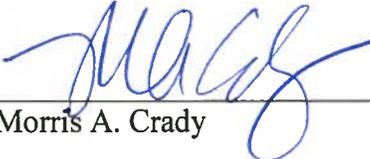
**EXHIBIT "A"****LEGAL DESCRIPTION**

Begin at the Northwest corner of Government Lot 1, Section 26, Township 37 South, Range 41 East, Martin County, Florida, thence run South 00 degrees 35 minutes 38 seconds West, along the West line of said Lot 1, 506.88 feet to the Northwest corner of Lot 3 of Racey's Subdivision of said Government Lot 1, Deed Book V, Page 700, Public Records of Brevard County, Florida; thence run South 89 degrees 23 minutes East, along the North line of said Lot 3, 447.1 feet to a concrete monument located on the Easterly right of way line of Sewall's Point Road, for the Point of Beginning; thence run South 24 degrees 02 minutes East, along said right of way, 151.63 feet to a concrete monument; thence run North 84 degrees 09 minutes East, 201.84 feet to a concrete monument; thence run North 5 degrees 53 minutes West 96.18 feet to a concrete monument that is located on a line that is parallel to and 25 feet Southerly of, the said North line of Lot 3; thence run South 89 degrees 23 minutes East, along said line parallel to the North line of Lot 3, 163.8 feet to the Westerly shore line of the Indian River; thence meander said shore line Northerly 25 feet, more or less, to the point of intersection with the said North line of Lot 3; thence run North 89 degrees 23 minutes West along said North line of Lot 3, 403.3 feet to the Point of Beginning.

{M2155293;1}

To the best of my knowledge and belief, there has been no transfer of the subject property since the deeds into AA Marina, LLLP were recorded in the Martin County Public Records.

DATED THIS 14<sup>th</sup> DAY OF August, 2019.

  
\_\_\_\_\_  
Morris A. Crady

STATE OF FLORIDA  
COUNTY OF MARTIN

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS 14<sup>th</sup> DAY OF August, 2019 BY MORRIS A. CRADY, WHO [ ] IS PERSONALLY KNOWN TO ME OR [ ] HAS PRODUCED \_\_\_\_\_ AS IDENTIFICATION.

  
\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES:



EXHIBIT A

FOUR FISH MARINA

LEGAL DESCRIPTION

P.I.=26-37-41-000-000-00040-3

P.I.=26-37-41-000-000-00050-0

P.I.=26-37-41-000-000-00060-8

Official Record Book 1870, Page 0251

Parcels 5 and 6

All that property in Government Lot 1, Section 26, Township 37 South, Range 41 East, Martin County, Florida, lying South of the North line of Lot 3 of Racey's Subdivision of Government Lot 1, Section 26, Township 37 South, Range 41 East, as set out in Plat Book V, page 700 of the Public Records of Brevard County, Florida, and lying East of Sewalls Point Road and North of the North line of the A.J. Milazzo tract, said North line being established by a boundary line agreement recorded in Official Record Book 97, page 115, of the Public Records of Martin County, Florida and West of the channel of the intracoastal waterway of the Indian River; excepting the tract set out in Deed Book 64, page 206, of the Public Records of Martin County, Florida, deeded by W.L. Bailey, joined by his wife Marion Bailey to C.R. Konst and Velma N. Konst, his wife.

TOGETHER WITH riparian rights and submerged land rights thereunto appertaining, which submerged lands were deeded to Walter L. Bailey and wife by deed recorded in Official Record Book 49, page 226, of the Public Records of Martin County, Florida.

**Source of Legal Description based on boundary survey by Aslan, Inc. for J. Michael Stetson, on trustee, Anchor's Aweigh Marina, dated 9/13/2004, Job Number: 1175.01.01**

Begin at the Northwest corner of Government Lot 1, Section 26, Township 37 South, Range 41 East, Martin County, Florida, thence run South 00 degrees 35 minutes 38 seconds West, along the West line of said Lot 1, 506.88 feet to the Northwest corner of Lot 3 of Racey's Subdivision of Government Lot 1, Deed Book V, Page 700, Public Records of Brevard County, Florida; thence run South 89 degrees 23 minutes East, along the North Line of said Lot 3, 447.1 feet to a concrete monument located on the Easterly right of way lone of Sewall's Point Road, for the Point of Beginning; thence run South 24 degrees 02 minutes East, along said right of way 151.63 feet to a concrete monument; thence run North 84 degrees 09 minutes East, 201.84 feet to a concrete monument; thence run North 5 degrees 53 minutes West 96.18 feet to a concrete monument that is located on a line that is parallel to and 25 feet Southerly of the said North line of Lot 3; thence run South 89 degrees 23 minutes East, along said line

parallel to the North line of Lot 3, 163.8 feet to the Westerly shore line of the Indian River, thence meander said shore line Northerly 25 feet, more or less, to the point of intersection with the said North line of Lot 3, thence run North 89 degrees 23 minutes West along said North line of Lot 3, 403.3 feet to the Point of Beginning

**Source of Legal Description based on boundary survey by Aslan, Inc. for AA Marina, LLLP, Regatta Grill, dated 3/18/2004, Job Number: 1154.01.01**

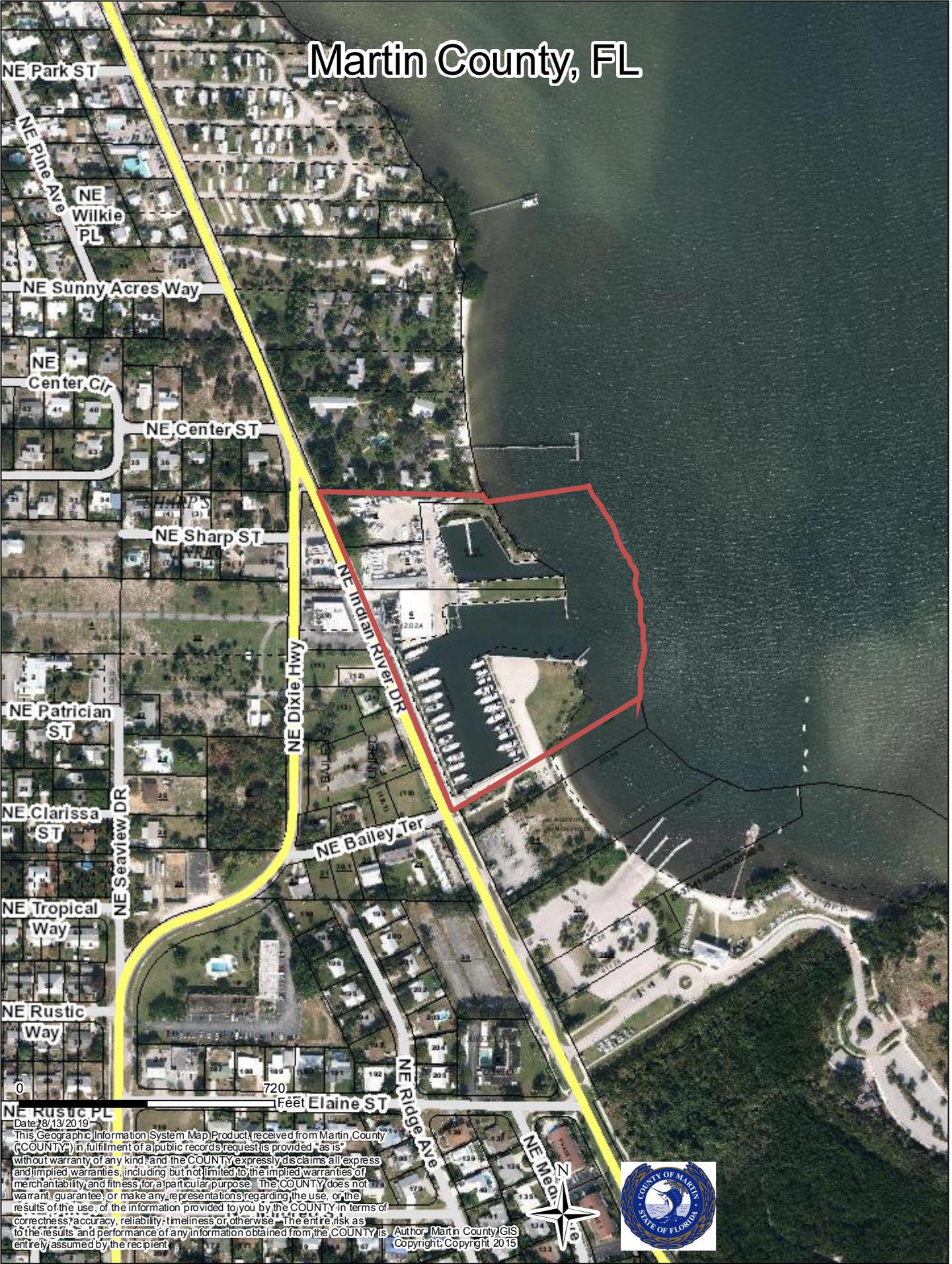
(Official Records Book 49, Page 226)

Submerged Land Parcel

A parcel of submerged land in the Indian River in Section 26, Township 37 South, Range 41 East, Martin County, Florida, more particularly described as follows:

From the Southwest corner of Government Lot 1 of said Section 26, thence run South 89°34' East a distance of 828.45 feet to the centerline of Sewall's Point Road; thence run North 22°57' West along the said centerline of Sewall's Point Road a distance of 10.75 feet; thence run North 57°02' East a distance of 330.55 feet, more or less, to the Westerly shoreline of the Indian River for the **POINT OF BEGINNING**; thence continue North 57°02' East a distance of 250 feet; thence run North 3°02'21" West a distance of 157.83 feet; thence run North 13°29'30" West a distance of 176.66 feet; thence run North 29°44'19" West a distance of 227.64 feet; thence run South 75°17' West a distance of 250 feet to the aforesaid Westerly shoreline of the Indian River; thence meander said Westerly shoreline South 28°14' East a distance of 240 feet; thence South 13°47' East a distance of 225 feet; thence South 3°36' East a distance of 169.94 feet to the POINT OF BEGINNING.

# Martin County, FL

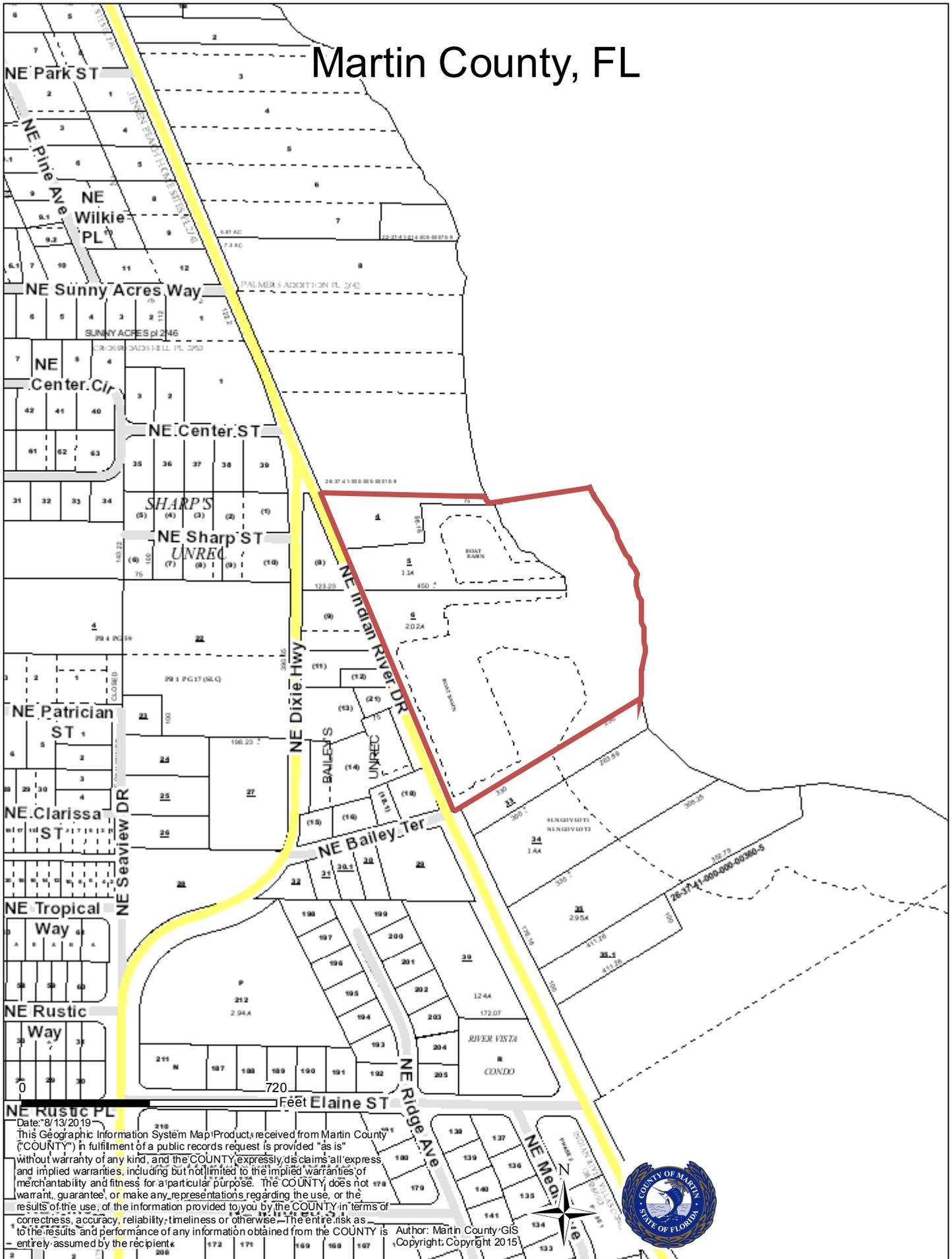


Date: 8/13/2019  
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Author: Martin County GIS  
Copyright: Copyright 2015



# Martin County, FL



Date: 8/13/2019

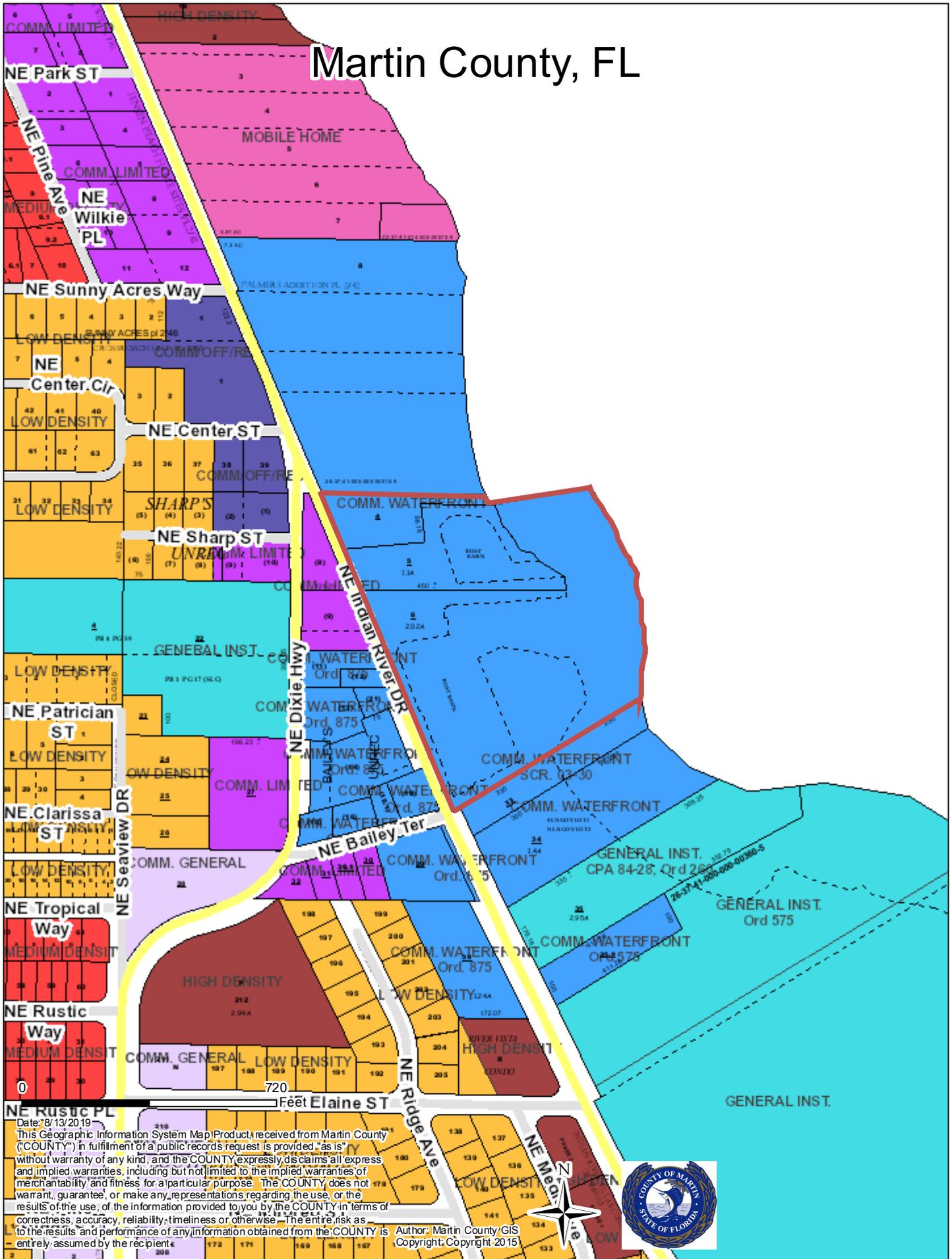
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Author: Martin County GIS  
Copyright: Copyright 2015



# Martin County, FL



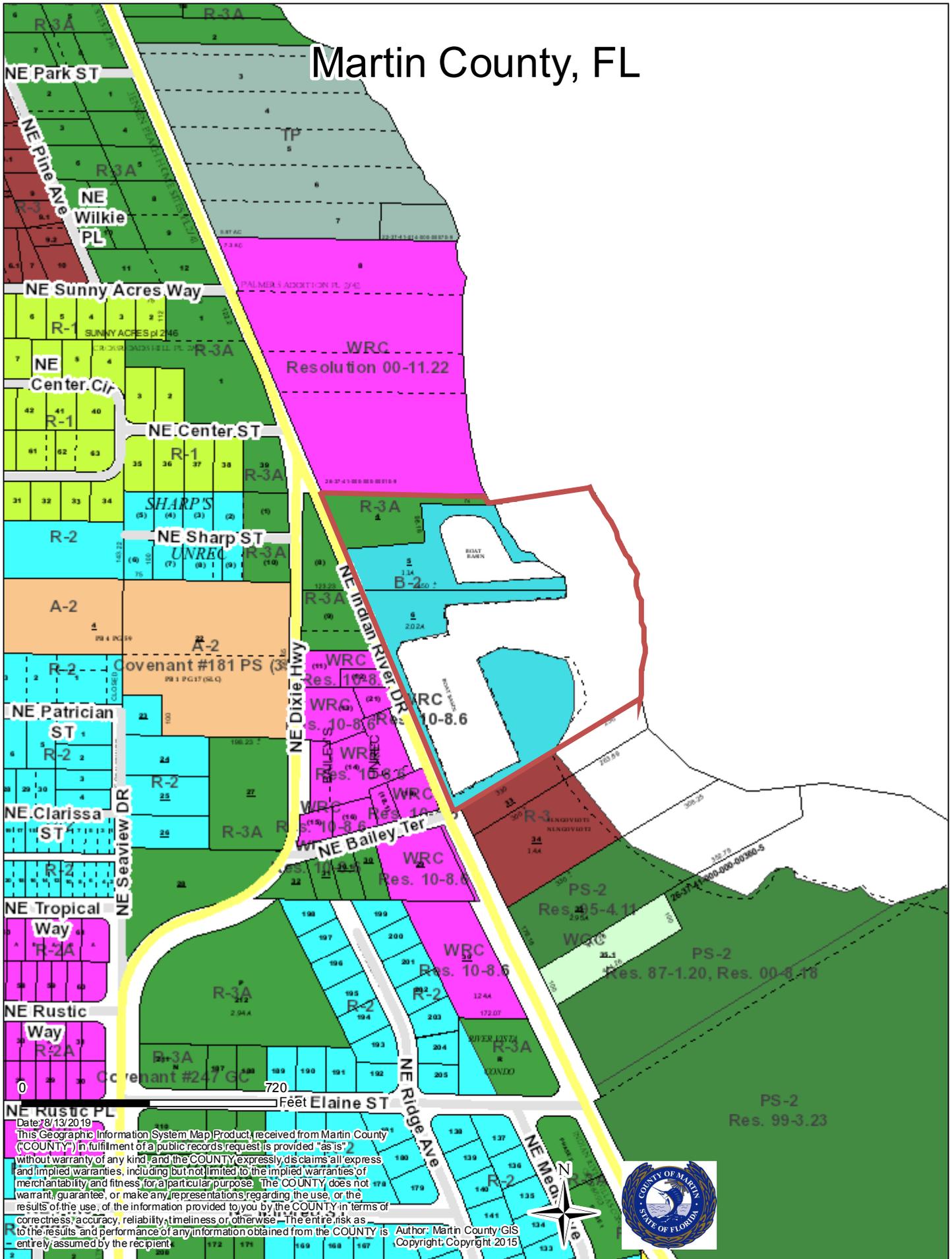
Date: 8/13/2019

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Author: Martin County GIS  
Copyright: Copyright 2015



# Martin County, FL



Date: 8/13/2019  
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